

ARKANSAS SUPREME COURT

No. CR 08-1130

JESSIE HILL
Appellant

v.

STATE OF ARKANSAS
Appellee

Opinion Delivered June 18, 2009

PRO SE MOTION TO ARREST
JUDGMENT, TO ALTER OR AMEND
JUDGMENT, TO VACATE OR SET
ASIDE JUDGMENT AND DISCHARGE
APPELLANT, FOR REHEARING AND
FOR RECUSAL BY THE COURT
[CIRCUIT COURT OF OUACHITA
COUNTY, CR 95-156, HON. CAROL C.
ANTHONY, JUDGE]

MOTION TREATED AS MOTION FOR
RECONSIDERATION OF DISMISSAL
OF APPEAL AND DENIED.

PER CURIAM

On April 30, 2009, this court handed down *Hill v. State*, CR 08-1130 (Ark. Apr. 30, 2009) (per curiam). Therein, we granted a motion by the appellee State of Arkansas to dismiss the appeal of appellant, Jessie Hill. The appeal arose from the trial court's denial of various postconviction remedies sought by appellant.

Now before us is appellant's pro se motion to "arrest judgment," that is, to rescind the dismissal in order to consider the merits of appellant's appeal. The motion also seeks to alter or amend the underlying judgment of conviction, to vacate or set aside the judgment of conviction and discharge appellant. In addition, appellant asks for a rehearing and for recusal of the members of this court and its staff. We treat the motion as one for reconsideration of our prior ruling that dismissed

the appeal.

Previously, in his response to the appellee State's motion to dismiss, appellant denied that he had sought this appeal. The instant motion appears to renounce that prior position. Also, in the motion for reconsideration, appellant maintains that a motion for oral argument that he filed on October 7, 2008, in this and another appellate case was sufficient to ward off dismissal for failure to file a brief. There is no authority for an oral argument request to be substituted for an appellate brief, and appellant failed to comply with the briefing schedule set by our clerk.

As grounds for granting the motion for reconsideration, appellant reiterates conclusory arguments made previously in the trial court, and raises new allegations about sentencing. Further, appellant accuses this court of issuing biased and unresponsive decisions that ignore his adamant claims of innocence. In sum, appellant has failed to meet his burden of demonstrating that there was some error of fact or law in the present decision that would merit reconsideration of the dismissal of the appeal.

Motion treated as motion for reconsideration of dismissal of appeal and denied.